

DOCKET NO: 246310US0

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
OSAMU TACHIZAWA, ET AL. : EXAMINER: CHANNAVAJALA,
LAKSHMI
SERIAL NO: 10/729,959 :
FILED: DECEMBER 9, 2003 : GROUP ART UNIT: 1615
FOR: AQUEOUS HAIR CLEANSING :
COMPOSITION

DECLARATION UNDER 37 C.F.R. §1.132

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Now comes Mr. Hiroki Mizushima who deposes and declares that:

1. I am a graduate Kyoto University and received my masters degree in the year 1996 majoring in synthetic chemistry and biological chemistry.
2. I have been employed by the Kao Corporation, the assignee of the above-identified application, since 1996. Beginning in 1996, I was a researcher involved in the Personal Care Research Laboratories, with a responsibility of research and development of hair care products. From 2006 to 2010, I was a researcher for Kao

(China) Research & Development Center in China and had a responsibility of hair care products. Since 2010, I have been involved in the Care Beauty Laboratories of Kao Corporation.

3. The following experiments were conducted by me or under my direct supervision and control.

Hair cleansing compositions as described below were prepared using sulfate 1 and comparative sulfate 3 as described in the above-identified specification. Foaming speed, lubricity upon shampooing, luster and manageability of the hair after drying was evaluated by the techniques described in the above-identified application. The composition and performance evaluation are summarized below along with a portion of the data from the Kaharu declaration submitted October 15, 2009.

Component	Add Ex 2 *	Ex 1	Ex 2	Ex 3	Add Comp Ex 2*	Comp Ex 1	Comp Ex 2	Comp Ex 3	Add Comp Ex 3*
Sulfate 1	12	12	12	12					12
Comparative Sulfate 3					12	12	12	12	
JP8500:product of Dow Corning Toray Co.,Ltd. INCI: Bis(C13-15 Alkoxy)PG Amodimethicone	0.5				0.5				-
SM8704C:product of Dow Corning Toray Co.,Ltd. INCI: Amodimethicone		0.5				0.5			
SS-3588:product of Dow Corning Toray Co.,Ltd. INCI: Bis-Isobutyl PEG-15/Amodimethicone Copolymer			0.5				0.5		
S I L S T Y L E 401:product of Dow Corning Toray Co.,Ltd. INCI: Bis-Butyloxymodimethicone/PEG-60 Copolymer				0.5				0.5	
Miristyl alcohol (1	1	1	1	1	1	1	1	1
Ethylene glycol distearate	3	3	3	3	3	3	3	3	3
Cationic hydroxyethyl cellulose)	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2
Cationic guar gum	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3
Malic acid	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75
Purified water	Balance	Balance	Balance	Balance	Balance	Balance	Balance	Balance	Balance
pH (when dilluted to 20 times the weight with water 25°C.)	3.7	3.7	3.7	3.7	3.7	3.7	3.7	3.7	3.7
Foaming speed	20	20	20	18	10	12	14	8	15
Lubricity of foam	20	19	22	20	13	12	13	15	13
Luster and manageability	20	20	20	19	15	14	14	16	10

*From Kaharu declaration of October 15, 2009

Evaluation: Five experts evaluated each composition on a scale of 1-5. Each composition was evaluated by the sum of their scores.

Foaming speed: 5 very fast foaming, 4 fast foaming, 3 a little fast foaming, 2 a little late foaming, 1 late foaming.

Lubricity of foam: 5 very lubricious, 4 lubricious, 3 somewhat lubricious, 2 not so lubricious, 1 not lubricious.

Luster and manageability: 5 very good, 4 good, 3, somewhat good, 2, not so good, 1 not good.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is believed to be true and correct. 28 USC 1746(1)

Norio Miyashima
Date 4/23/2010